

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

1:24-MC-5

**FILED
CHARLOTTE, NC**

FEB 28 2024

**US District Court
Western District of NC**

**IN RE: EXEMPTION OF
ELECTRONIC
PUBLIC ACCESS FEES**

ORDER


This matter is before the Court upon application and request by Mr. Edward K. Cheng, Mr. Hillel Bavli, and Ms. Kathryn Powell for exemptions from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts.

The Court finds that Mr. Cheng is a Professor of Law at Vanderbilt University; Mr. Bavli is an Associate Professor of Law at Southern Methodist University; and Ms. Powell is a law student at Vanderbilt University. They are working as a team on a research project involving the use of special verdicts and jury interrogatories in federal civil cases. They are interested in the frequency with which special verdict and jury interrogatories are used, the way in which substantive elements or facts are broken down on these documents, and the way in which damages are broken down on these documents. They are seeking access to cases between 1991 and 2003 and are focusing on three areas: torts, copyright, and employment discrimination. Mr. Cheng, Mr. Bavli, and Ms. Powell each qualify for an exemption, and one is needed to avoid unreasonable burden and promote public access. Each of them shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this Court, to the extent such use is incurred in the course of this limited request. They shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this court. Additionally, the following limitations apply:

1. This fee exemption applies only to Mr. Cheng, Mr. Bavli and Ms. Powell and is valid only for the purposes stated above.
2. This fee exemption applies only to the electronic files of this Court that are available through the PACER system.
3. By accepting this exemption, Mr. Cheng, Mr. Bavli, and Ms. Powell agree not to sell for profit any data obtained because of receiving this exemption.
4. Mr. Cheng, Mr. Bavli, and Ms. Powell are prohibited from transferring any data obtained because of receiving this exemption, including redistribution via internet-based databases; and
5. **This exemption is authorized until June 1, 2025.**

This exemption may be revoked at the discretion of the Court at any time. Pursuant to Judicial Conference policy, the Clerk shall review the usage of the account as part of the Court financial audit process. The Clerk is DIRECTED to provide a copy of this Order to the PACER Service Center and Mr. Cheng, Mr. Bavli, and Ms. Powell.

Dated: 2/28/2024

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger, Chief
U.S. District Judge

Accounts: Edward K. Cheng, Account #6564086
Hillel Bavli, Account #7864859
Kathryn Powell, Account #7628692